THE REMARKS

The Amendments

Applicants have submitted Preliminary Amendment on March 5, 2004, which is acknowledged in the File Image Wrappers of PAIR, however, it was not acknowledged in the Office Action dated June 15, 2006. Applicants respectfully request that the Examiner enter the Preliminary Amendment and acknowledge it.

In Claims 1, 30 and 55, "charged pigment particles and pigment-containing microparticles" has been replaced with "charged pigment-containing microparticles which comprise a hard shell formed from a protective colloid". This amendment is supported by, for example, in paragraph [0047].

Claim 9 was amended in the Preliminary Amendment; however, it was mis-identified as "original." Therefore, Applicants are presenting the same amendment herewith.

Claim 10 has been amended by replacing Krytox® acid with $F(C_3F_6O)_yCF(CF_3)COOH$. The support for this amendment can be found in paragraph [0091].

Claim 28 has been amended to correct a typographic error.

New Claims 75, 76, 78, 79, 81, and 82 are supported by paragraph [0050].

New Claims 77, 80, and 83 are supported by paragraph [0047].

The Abstract has been amended to increase the length according to MPEP 608.01(b). The support for the amendment is found in the last paragraph of the Summary of the Invention.

Other amendments are for clarity and proper antecedent basis.

No new matter is added in any of the amendments. The Examiner is requested to enter the amendments.

Election/Restrictions

Applicants confirm the species election of Group III, R group of Claim 16, where R is a fluoropolyether, and Group IV, formula T-1 of Claim 1.

Provisional Double Patenting Rejection

Claims 1, 2, 14, 16, 19, 20, 30, 31, 33, 36, 37, 55, 56, 58, 61, 62, 70, 71 are provisionally rejected on the ground of obviousness-type double patenting as being unpatentable over Claims 1, 2, 3, 17, 18, 22, 27, 33, 34, 35, 46, 47, 48, 53, 54 of Application

No. 10/976,152 and 10/976,244. Applicants wish to postpone the Response to this provisional rejection until all claims are otherwise allowable.

Claim Rejections – 35 USC §112, Second Paragraph

Claims 2, 10 and 28 are rejected under 35 USC §112, second paragraph.

Claim 2 is amended to recite Q and Q' are independently absent, ether, etc. The word "independently" in Claim 2 is intended to mean that Q and Q' may be the same or different.

Claim 10 is amended to replace the trademark name with a generic chemical name.

Claim 28 is amended to correct the typographic error.

Therefore, the 35 USC §112, second paragraph rejection of Claims 2, 10, and 28 should be withdrawn.

Claim Rejections – 35 USC §102(b)

Claims 30 and 33 are rejected under 35 USC 102(b) as allegedly being anticipated by Mashlyakovskiy et al.

Claims 30 is directed to an electrophoretic fluid comprising charged pigment-containing microparticles dispersed in a dielectric solvent or solvent mixture and a threshold promoter of Formula (T-1), (T-2), (T-3) or (T-4). The pigment-containing microparticles comprise a hard shell formed from a protective colloid.

Mashlyakovskiy et al discuss a group of fluoropolyethers end-capped by a polar functional groups. The reference does not disclose an electrophoretic fluid, let alone an electrophoretic fluid having the features of Claim 30.

Consequently, the invention of Claim 30 is not anticipated by Mashlyakovskiy et al. This discussion also applies to dependent Claim 33.

Claim Rejections – 35 USC §102(b)/103(a)

Claims 1-5, 14, 16, 19, 20, 30, 31, 33, 36, 37, 45-50, 51, 54, 55, 56, 58, 61, 62, 70 and 71 are rejected under 35 USC 102(b) as allegedly being anticipated by or, in the alternative, under 35 USC 103(a) as allegedly being obvious over Chiang (US Patent No. 4,285,801).

In the amended Claim 1, the "charged pigment particles and pigment-containing microparticles" is replaced with "pigment-containing microparticles comprising a hard shell formed from a protective colloid". The term "pigment-containing microparticles" is prepared from a microencapsulation process (see paragraph [0047]).

Claim 1 is directed to a method for inducing or enhancing the threshold voltage of an electrophoretic display comprising two steps. One step is to prepare an electrophoretic fluid which comprises pigment-containing microparticles dispersed in a dielectric solvent or solvent mixture wherein the pigment-containing microparticles comprise a hard shell formed from a protective colloid. The other step is adding a threshold promoter into the electrophoretic fluid comprising the pigment-containing microparticles.

Chiang discloses a suspension for electrophoretic displays. In the suspension of Chiang, the particles are the primary pigment particles which may be coated with a highly fluorinated polymeric material. The key feature of Chiang is that the highly fluorinated polymeric material in Chiang is coated or adsorbed onto the primary pigment particles (see, for example, the Abstract, description in column 1, at lines 63-66 and examples). The coating of the pigment particles in Chiang is not accomplished by microencapsulation.

In contrast, the pigment-containing microparticles of the present invention are prepared by microencapsulation and comprise a hard shell which is formed from a protective colloid through microencapsulation (see paragraph [0047]). These features are not disclosed or in any way suggested by Chiang.

Accordingly, the method of the amended Claim 1 is novel and inventive.

The above discussion also applies to independent Claims 30 and 55 and claims directly or indirectly dependent from Claims 1, 30 and 55.

Allowable Subject Matter

Applicants acknowledge with appreciation the allowance of Claims 6-10, 28, 29, 52 and 53.

CONCLUSION

Applicants believe that the application is now in good and proper condition for allowance. Early notification of allowance is earnestly solicited.

Respectfully submitted,

Date: October 10, 2006

Viola T. Kung (Reg. No. 41,131)

HOWREY LLP
2941 Fairview Park Drive
Box 7
Falls Church, VA 22042
Ph. (650) 798-3570
Fax (650) 798-3600